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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/810,885      | 03/29/2004  | Hirotoimo Ishii      | 325772035300        | 1084             |

7590 01/16/2009  
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| EXAMINER |
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EBRAHIMI DEHKORDY, SAEID

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| ART UNIT | PAPER NUMBER |
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2625

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01/16/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |  |                                     |  |
|------------------------------|--|-------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/810,885       | <b>Applicant(s)</b><br>ISHII ET AL. |  |
|                              | <b>Examiner</b><br>SAEID EBRAHIMI DEHKORDY | <b>Art Unit</b><br>2625             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Response to Amendment***

1. Applicant's arguments with respect to claim 1-11 have been considered but are moot in view of the new ground(s) of rejection.
2. After further examining the Hower et al the 102 (b) rejection is made base on the Hower et al, as Hower et al disclose the limitations as amended clearly on combination of Figs.2-5 and 8, as cited below.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Hower, Jr. et al (U.S. patent 5,467,434)

**Regarding claim 1, 6 and 9** Hower et al discloses: A network printing system (note Fig.2)

comprising: a network (note Fig.1&2, also note column 3, lines 35-49) a terminal that is connected to the network and that orders a print job (note Figs.1&2, item 15-1-15-N, the clients connected to the network and issue job for printing, note column 3, lines 35-66) a printing apparatus that is connected to the network and that performs printing in accordance with the print job (note Figs.1&2, wherein the printers 12-1-12-N are connected to the system for receiving and printing the jobs, column 3, lines 40-43) and a server that is connected to the network and that delivers the print job derived from the terminal to the printing apparatus (note Figs.1&2, item 25,

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the server, which transmits the print jobs from the clients to the printers, column 3, lines 50-56) wherein the network printing system (note Figs.1&2) includes: a print setting information storage section which is provided in the server and which stores therein print setting information that is set by input (note Fig.2 item 37, the combination examiner, which could be embedded in the client or server 25, note column 4, lines 60-65, and Fig.4, where the job types and tickets are stored) a print setting information acquisition section for acquiring the print setting information set in the server (note Fig.2 item 37, the combination examiner, which could be embedded in the server "column 4, lines 60-65" would store the print profile for each printer to be compared to the user setting information to determine the correct setting for the jobs, note column 4, lines 49-64) a confirmation message presentation section for presenting to a user a screen indicating a confirmation message for confirming printing based on the acquired print setting information and accepting input by user as to whether the printing is agreed or not (note column 3, line 50 to column 4, line 27, wherein the screen display 17 of Fig.1 is presenting the user with the option of interactively communicate with the printers to determined the best selection for the print job as the various option are chosen and match against the printer capabilities "note , Fig.8, column 6, lines 1-48, wherein for example the media type is determined though the trial and error and if not matched the error is sent and displayed on the user display 17, where user would at that point chose the different parameter to be confirmed with user and printer) a resetting section for resetting the acquired print setting information in accordance with an instruction from the user if the printing is not agreed by the user, as indicated the input accepted by the confirmation message presentation section (note Hower, Figs. 4 and 5, wherein the user using the user interface 16 and screen 17, to interact through the dialog software to adjust or modify the

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selections or parameters of the print job, particularly the job ticket display of Fig.4 permits the user to choose or adjust the media type which was explained above, also note Fig.8, column 6, lines 1-47 wherein when for example the media type does not match the option given by the user the error message would be displayed to the user on the display and thereon the user would use the other options to choose and confirm the selections with the printer interactively).

and a print job creation section for creating the print job based on the acquired print setting information or the reset print setting information and sending the created print job to the server (note Fig.2 item 37, the combination examiner, which would in combination with the of UI 16 would reset the setting information to fit the print profile for the particular printer, column 4, lines 49-62, also note Fig.8, column 6, lines 1-47).

**Regarding claim 2** Hower et al disclose: The network printing system as defined in claim 1, wherein when the user agrees with the confirmation message, the print job creation section creates the print job based on the acquired print setting information (note Fig.2, column 4, lines 49-64).

**Regarding claim 3** Hower et al disclose: The network printing system as defined in claim 1, wherein the print setting information acquisition section, the confirmation message presentation section, the resetting section and the print job creation section are mounted on the terminal (note Fig.2, where the item 37 the combination examiner which would implement all the function said above would be mounted on both the terminal or client 15-1 or on the server 25, note column 4, lines 61-64).

**Regarding claim 4** Hower et al disclose: The network printing system as defined in claim 1, wherein the print setting information contains initial print setting information and save-mode

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print setting information (note where the print job tickets are being saved of Fig.4, column 4, lines 13-25 and column 5, lines 40-58).

**Regarding claim 5** Hower et al disclose: The network printing system as defined in claim 4, wherein the printing apparatus transmits printing result information to the server every time printing is performed, and the server monitors the printing result information derived from the printing apparatus, and when contents of the printing result information satisfy predetermined conditions, the save-mode print setting information is transmitted as the print setting information to the print setting information acquisition section (note column 6, line 49 through column 7, line 24).

**Regarding claim 7** Hower et al disclose: The printing terminal as defined in claim 6, wherein when the user agrees with the confirmation message, the print job creation section creates the print job based on the acquired print setting information (note Fig.2, column 4, lines 49-64).

**Regarding claim 8** Hower et al disclose: The printing terminal as defined in claim 6, wherein the print setting information contains initial print setting information and save-mode print setting information (note where the print job tickets are being saved of Fig.4, column 4, lines 13-25 and column 5, lines 40-58).

**Regarding claim 10** Hower et al disclose: The printing method as defined in claim 9, wherein when the user agrees with the confirmation message, the print job is created based on the acquired print setting information (note column 4, lines 49-64).

**Regarding claim 11** Hower et al disclose: The printing method as defined in claim 9, wherein the print setting information contains initial print setting information and save-mode print setting

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information (note where the print job tickets are being saved of Fig.4, column 4, lines 13-25 and column 5, lines 40-58).

### **CONTACT INFORMATION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saeid Ebrahimi-dehKordy whose telephone number is 571-272-7462. The examiner can normally be reached on Mon-Fri, 8:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Saeid Ebrahimi-dehKordy/  
Primary Examiner, Art Unit 2625  
January 15, 2009